

ORIGINAL

BEFORE THE
FEDERAL COMMUNICATIONS COMMISSION
 WASHINGTON, D.C. 20554

RECEIVED

AUG 19 1998

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
 Amendment of Section 73.202(b),) RM-
 Table of Allotments)
 FM Broadcast Stations)
 (Silverton, Colorado and Bayfield, Colorado))

To: Chief, Allocations Branch
 Policy and Rules Division
 Mass Media Bureau

PETITION FOR RULE MAKING

Voice Ministries of Farmington, Inc. (hereafter "VOICE"), by its undersigned counsel, hereby respectfully requests that the Commission modify its FM broadcast station Table of Allotments in Section 73.202¹ of the Commission's rules and regulations as follows:

<u>Community:</u>	<u>Present Allocation</u>	<u>Proposed Allocation</u>
Silverton	279C2, 297C1	279C2
Bayfield	----	296C

In addition, VOICE respectfully requests that the Commission modify its construction permit (951020MA) utilizing the present 297C1 allocation to Silverton, Colorado, to specify operation on channel 296C

¹ 47 CFR 73.202(b).

10/10/98 filed 085
 10/10/98
 10/10/98

at Bayfield, Colorado. In support of this request, the following is respectfully submitted for the consideration of the Commission.

1. VOICE is the Commission permittee for a new FM broadcast station on the present FM channel 297C1 allotment at Silverton, Colorado.² VOICE has ascertained that the present Class C1 FM allotment at Silverton, Colorado, can be up-graded to a full Class C allotment at Bayfield, Colorado, with the corresponding increase in the coverage area that its proposed station can provide. See the attached "Technical Comments" by Bromo Communications.

2. Bayfield, Colorado, is a town and a census designated place by the United States Department of Commerce.³ It is located in LaPlata County, Colorado, and had a 1990 population of 1,090. Bayfield, Colorado, is not located within an urbanized area. Currently, Bayfield does not have an AM, FM, or television station allocated or licensed to it by the Commission. Accordingly, the proposed FM channel 296C allocation will result in the first aural broadcast service to that community.

3. Silverton, Colorado, is a smaller community than Bayfield with a 1990 population of 716 persons. The deletion of FM channel 297C1

² VOICE acquired the construction permit on July 16, 1998, pursuant to authority and terms approved by the Commission in FCC file BAPH-971013G1.

from Silverton, Colorado, will leave that community with the allotment of FM channel 279C2. Accordingly, the proposed deletion of FM channel 297C1 will not remove the only local aural broadcast allotment from Silverton.

4. VOICE is filing this Petition pursuant to Section 1.420(I) of the Commission's Rules which permits the modification of a station's authorization to specify a new community of license without affording other interested parties an opportunity to file competing expressions of interest. See Modification of FM and TV Authorizations to Specify a New Community of License.⁴ VOICE submits that the proposed allotment modification will serve the public interest in conformity with the requirements of Section 307(b) of the Communications Act of 1934, as amended, by allowing a first local, aural broadcast service to Bayfield, Colorado.

Wherefore, based on the foregoing, Voice Ministries of Farmington, Inc. respectfully requests that the FM Table of Allotments contained in Section 73.202 of the Commission's rules and regulations be modified to delete the assignment of FM channel 297C1 from Silverton, Colorado, and to assign FM channel 296C to Bayfield,

³ U.S. Department of Commerce, 1990 Census of Population and Housing, 1990 CPH-1-7.

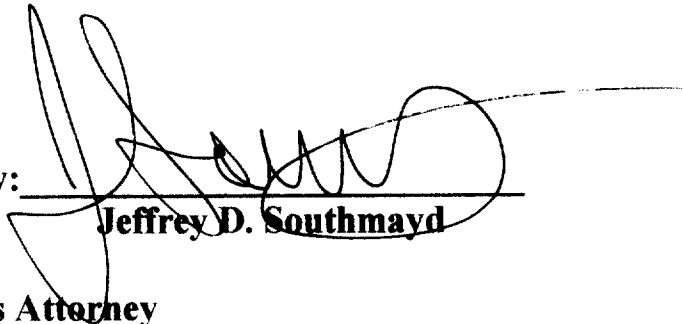
⁴ 4 FCC Rcd 4870, 4874 (1989), recon. granted in part 5 FCC Rcd 7094 (1990).

**Colorado. VOICE also requests that the Commission modify its
construction permit 951020MA in accordance therewith.**

Respectfully submitted,

Voice Ministries of Farmington, Inc.

By:

A handwritten signature in black ink, appearing to read "Jeffrey D. Southmayd", is written over a horizontal line. The signature is stylized with large loops and a long horizontal stroke extending to the right.

Its Attorney

**Southmayd & Miller
1220 19th Street, N.W.
Suite 400
Washington, D.C. 20036
(202) 331-4100**

Date: August 17, 1998

Technical Comments
In Support of
296C (107.1 MHz)
Bayfield, Colorado
August 1998

These Technical Comments are being filed on behalf of Voice Ministries of Farmington, Inc. in support of allocating Channel 296C to Bayfield, Colorado as that city's only allocated broadcast service and the deletion of the presently allocated 297C1 to Silverton, Colorado.

ALLOCATION

The allocation reference of North Latitude 37° 13' 32" and West Longitude 107° 35' 53" clears all Class C §73.207 allocation constraints (See Exhibit #1). This hypothetical site is the center of the proposed city of license, Bayfield, Colorado.

CITY GRADE COVERAGE

Since the proposed allocation reference is in Bayfield, there is no problem covering 100% of the city of license (See Exhibit #2). Bayfield has no airport to impede tower construction. Additionally, nearby there are electronic sites on mountains that would eliminate the need for a tall tower and still achieve a class minimum height above average terrain.

SILVERTON, COLORADO

Although the current 297C1 at Silverton is requesting to be deleted, Silverton still has allocated 279C2. Two applicants have filed for the right to

construct 279C2. Because broadcasting has never commenced from 297C1, no loss of service will result from the re-allocation from Silverton to Bayfield as proposed herein.

BAYFIELD, COLORADO


The City of Bayfield, Colorado is located in La Plata County, Colorado and has a 1990 population of 1,090. A steady growth trend has been realized from 1970 though 1980 to 1990. Bayfield is not in an urbanized area. There are no AM, FM or Television stations allocated to Bayfield making this the first service allocated to the city.

REQUEST

The following changes of §72.202 are requested:

<u>City</u>	<u>Present</u>	<u>Proposed</u>
Silverton	279C2, 297C1	279C2
Bayfield	None	296C

All information contained herein is true and accurate to the knowledge of the undersigned.



Clifton G. Moor
Bromo Communications, Inc.

August 13, 1998

BROMO COMMUNICATIONS INC
(706) 782-7222 - (202) 429-0600

Searching at Bayfield, CO
for Proposed Rule Making

REFERENCE	CLASS C	DISPLAY DATES
37 13 32 N		DATA 08-07-98
107 35 53 W	Current rules spacings	SEARCH 08-13-98
----- CHANNEL 296 -107.1 MHz -----		

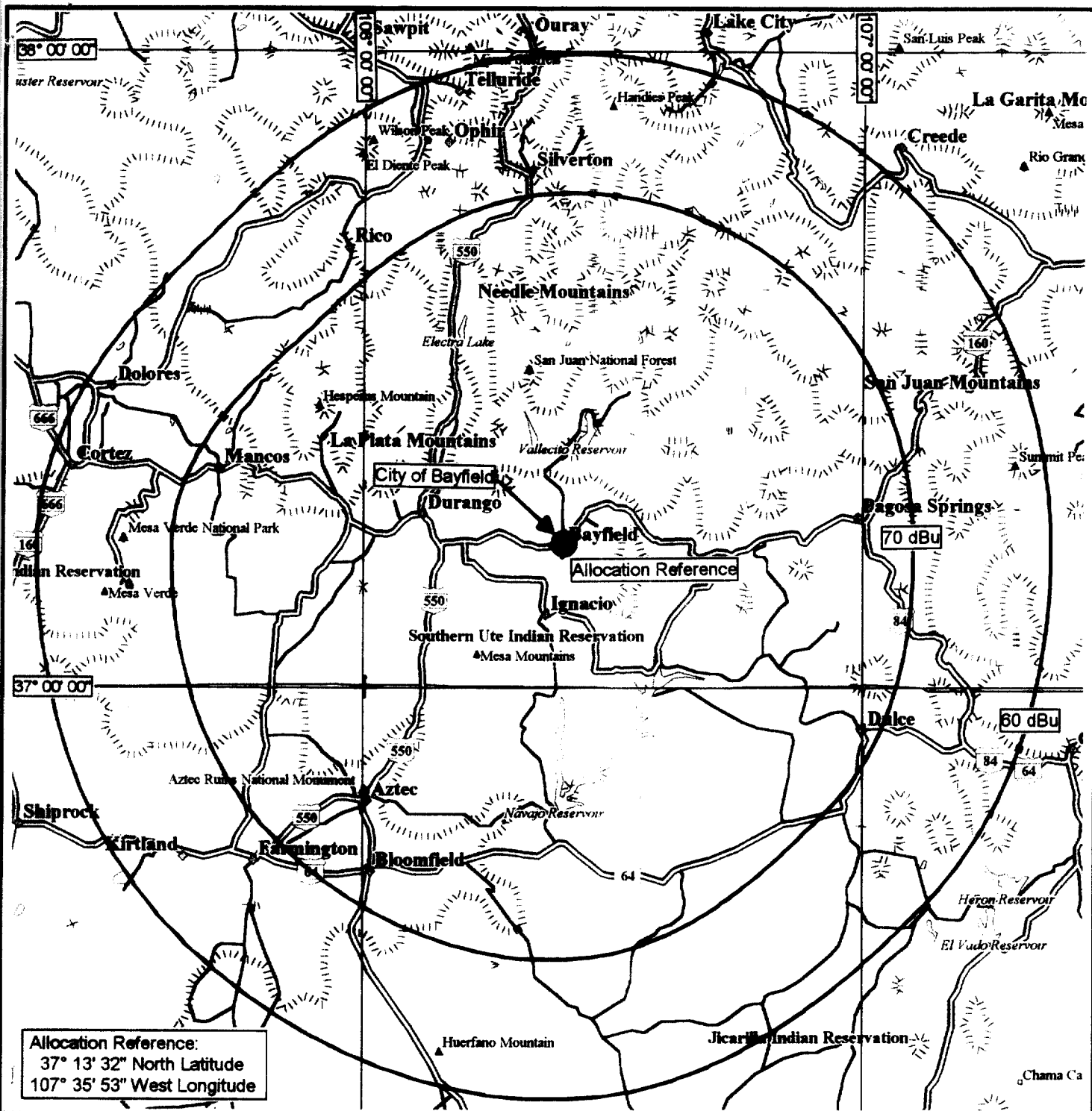
CALL TYPE	CH# LAT	CITY LNG	STATE PWR	BEAR' HT	D-KM D-Mi	R-KM R-Mi	MARGIN (KM)
AP296	296C	Silverton	CO	311.7	23.01	290.0	-266.99 *
AP ZHN	37 21 49	107 47 30	100.000 kW	569M	14.3	180.2	
Voice Ministries of Farmingto					BMPH980302IF		
>Vertical Polarization Only							
ALOPEN	296C	Silverton	CO	311.7	23.01	290.0	-266.99 *
AL N	37 21 49	107 47 30	0.000 kW	0M	14.3	180.2	
>One step-application							
CP297	297C1	Silverton	CO	356.6	65.13	209.0	-143.87 *
CP CN	37 48 41	107 38 31	100.000 kW	-249M	40.5	129.9	
Alton Broadcasting Co.					BPH951020MA 980906		
KNKT	296C2	Armijo	NM	164.6	249.96	249.0	0.96 <
LI CY	35 03 15	106 51 31	24.500 kW	215M	155.4	154.8	
Calvary Chapel of Albuquerque					BLH880422KC		
KPVW.C	296C3	Aspen	CO	13.6	238.64	237.0	1.64 <
CPM CN	39 18 56	106 57 32	20.500 kW	110M	148.3	147.3	
Aspen FM, Inc.					BMPH950822ID 980421		
KFXR	297C2	Chinle	AZ	244.1	221.69	188.0	33.69
LI CN	36 21 07	109 49 54	3.600 kW	497M	137.8	116.8	
KGLX/KFMQ/KFXR L.L.C.					BLH950908KE		
KNKN	296C2	Pueblo	CO	64.3	289.57	249.0	40.57
LI CN	38 21 32	104 38 13	50.000 kW	95M	180.0	154.8	
Guardian Communications, Inc.					BLH941102KE		

§73.207 Allocation Study

EXHIBIT #1
Technical Comments
In Support of
296C (107.1 MHz)
Bayfield, Colorado
August 1998

BROMO
COMMUNICATIONS

BROADCAST
TECHNICAL CONSULTANTS



Class Maximum Coverage

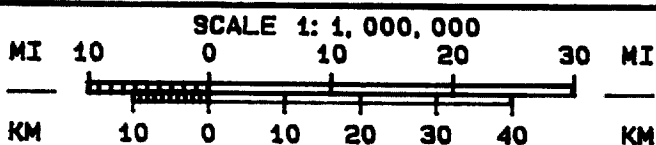
The city of Bayfield is 100% within the city grade contour

Map is composite States of Colorado and New Mexico

Scale 1:1,000,000

©1993 DeLorme Mapping

EXHIBIT #2
Technical Comments
 In Support of
296C (107.1 MHz)
Bayfield, Colorado
 August 1998



BROMO BROADCAST
 TECHNICAL CONSULTANTS
COMMUNICATIONS